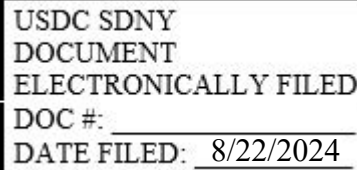




200 Old Country Road, Suite 2 South, Mineola, NY 11501/Tel: (516) 741-3222/Fax: (516) 741-3223



August 21, 2024

Hon. Barbara Moses  
U.S. Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Courtroom 20A  
NY NY 10007  
VIA ECF

**MEMO ENDORSED**

Re: USA Famous Original Ray's Licensing Corp.  
v. Ray's Pizza bar, Inc.  
Case No.: 23 cv 9656

Your Honor:

This office represents the defendants in the above action. The parties were to appear at a mediation on this matter today. Plaintiff's representatives had a family emergency requiring them to go to Florida. Plaintiff's counsel filed a consent letter motion with the Court to adjourn the mediation and in that letter motion asked for a date between August 28 and September 2, 2024.

The Court adjourned the mediation to September 4, 2024. However, I already have a mediation scheduled for that date from 9:00AM-1:00PM in the matter of *Andrew Krivak v. County of Putnam et al*, a Southern District 42 U.S.C. 1983 matter pending before Judge Kenneth Karas, under Case No. 23cv 6960, in which I am lead counsel for the plaintiff. I then have a continued evidentiary hearing on a CPL 440.10 hearing in the matter of *People v. Ronald Plaza* in Bronx Supreme Court under Indictment Number 2506/2014, before Judge Timothy Lewis, so I am completely unavailable on the 4<sup>th</sup> of September.

All counsel and parties are available on either August 29, 2024, at any time or September 3, 2024, after 2:00PM. If neither of those dates/time work for the Court, then I ask that the Court provide a window of dates in early September other than the 4<sup>th</sup> 5<sup>th</sup> and 6<sup>th</sup> (when I know either plaintiff's counselor I are unavailable) to select from and counsel can confer with clients as to their availability.

This letter is being sent jointly as all counsel for the parties approved its content. Thank you for your attention in this matter.

Application GRANTED. The settlement conference scheduled for September 4, 2024, is hereby RESCHEDULED to **August 29, 2024, at 2:15 p.m.** Any update to the parties' pre-settlement submissions (see Dkt. 28 ¶ 3) must be received no later than August 26, 2024. SO ORDERED.

Barbara Moses  
United States Magistrate Judge  
August 22, 2024

Very truly yours,

Sincerely,

s/Oscar Michelen

OSCAR MICHELEN

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